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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 11-00749 LHK
)	
12 Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER CONTINUING HEARING DATE
13 vs.)	
)	
14 LUIS RUIZ-LOPEZ,)	
)	
15 Defendant.)	
)	

16
17 **STIPULATION**

18 Defendant Luis Ruiz-Lopez, by and through Assistant Federal Public Defender Heather
19 R. Rogers, and the United States, by and through Special Assistant United States Attorney
20 Carolyne Sanin hereby stipulate that, with the Court's approval, the status hearing currently set
21 for February 22, 2012, at 10:00 a.m., before the Honorable Lucy H. Koh, shall be continued to
22 March 14, 2012, at 10:00 a.m.

23 The reason for the requested continuance is that defense counsel requires additional time
24 in order to effectively prepare. In particular, the defense team needs more time to investigate the
25 case and provide the prosecution with discovery in order to continue to attempt to negotiate a
26 potential settlement. Defense counsel also requires additional time to consult with Mr. Ruiz-

1 Lopez regarding matters related to this case. The parties therefore respectfully request a
2 continuance to March 14, 2012, at 10:00 a.m.

3 The parties agree that the time between February 22, 2012, and March 14, 2012, may be
4 excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective
5 preparation of counsel.

6
7 Dated: February 13, 2012

8 /s/
HEATHER ROGERS
Assistant Federal Public Defender

9
10 Dated: February 13, 2012

11 /s/
JEFFREY SCHENK
Assistant United States Attorney

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13 **~~PROPOSED~~ ORDER**

14 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
15 ORDERED that the hearing currently set for February 22, 2012, at 10:00 a.m., before the
16 Honorable Lucy H. Koh, shall be continued to March 14, 2012, at 10:00 a.m.

17 THE COURT FINDS that failing to exclude the time between February 22, 2012, and
18 March 14, 2012, would unreasonably deny counsel for the defendant reasonable time necessary
19 for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §§
20 3161(h)(7)(B)(iv).

21 THE COURT FINDS that the ends of justice served by excluding the time between
22 February 22, 2012, and March 14, 2012, from computation under the Speedy Trial Act outweigh
23 the interests of the public and the defendant in a speedy trial.

24 //

1 THEREFORE, IT IS HEREBY ORDERED that the time between February 22, 2012, and
2 March 14, 2012, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
3 3161(h)(7)(A) and (B)(iv).

4 IT IS SO ORDERED.

5 Dated: 2/14/12

A handwritten signature in black ink that reads "Lucy H. Koh". The signature is written in a cursive, flowing style.

HON. LUCY H. KOH
United States District Court Judge